



Resolution #HSR12-24

CEO Delegation of Authority for Procurement

Whereas, the California High-Speed Rail Authority (Authority) is responsible for the development and implementation of intercity high-speed rail service pursuant the Public Utilities Code §185030 *et seq.*;

Whereas, pursuant to Public Utilities Code §185024, the Authority has appointed an Executive Director/Chief Executive Officer who, subject to the direction of the Authority, has charge of administering the affairs of the Authority.

Whereas, the Authority Board delegated procurement authority to the CEO via Resolution #HSRA 11-001 section A and Resolution #HSRA 11-09.

Whereas under SB 1029, the Authority has received appropriations for capital expenditures, preliminary engineering, environmental work, interconnectivity funding and right of way acquisitions from the Legislature that will significantly increase the number of contracts the Authority will be required to enter into, at dollar amounts that will often exceed the current CEO delegated procurement authority.

Whereas due to the increased volume of contracts that the Authority will be required to enter into the Authority requests that the Board delegate approval authority to the CEO or his designee for all procurements including but not limited to interagency agreements, cooperative agreements, railroad agreements, utility agreements, architectural agreements, professional services agreements, goods and services agreements, and sole source agreements, up to amounts not to exceed \$5 million for the purposes of advancing the California High Speed Train Project.

Whereas since it is necessary to assure the timely preparation and execution of the contracts needed to carry out the responsibilities of the Authority, the Board finds it is appropriate to increase the delegated procurement authority to the CEO.

Therefore it is resolved,

The Authority Board is replacing the delegated procurement authority to the CEO pursuant to Board Policy #HSRA 11-001 section A and Resolution #HSRA 11-09 with the following delegation:

The High Speed Rail Board authorizes the Chief Executive Officer or his designee, to undertake all that is necessary to prepare and execute all procurement contracts up to an amount not to exceed \$5 million each for purposes of advancing the California High Speed Train Project. The CEO shall assure that all procurements are conducted in accordance with all applicable federal and state laws and regulations, and policies and in compliance with all applicable grant agreement requirements. The CEO is delegated the authority to approve and execute changes or amendments to contracts between \$5 million and \$10 million to cumulative increases of 25% of the original contract amount, or \$250,000, whichever is greater, and time extensions up to 25% of the contract term. The CEO is delegated the authority to approve and execute changes or amendments to contracts over \$10 million to cumulative increases of

10% of the original contract amount, or \$2,500,000, whichever is greater, and time extensions up to 25% of the contract term. Under no circumstances shall the cumulative sum of increases approved by the CEO for any contract over \$50,000,000 exceed \$5,000,000. Board approval is required for any amendments to existing Engineering and Architectural contracts whose contract value exceeds \$5,000,000. This delegated procurement authority does not include Authority contracts with the CEO's employer immediately preceding his/her appointment to the CEO position. A list of all new or amended Authority contracts with a value of \$10,000 or more will be periodically presented to the Board by Authority staff.

Vote: 5-0

Date: 09/11/12

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